Case 19-01253 Doc 40 Filed 11/01/19 Entered 11/01/19 14:43:51 Desc Main Document Page 1 of 3

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF IOWA CEDAR RAPIDS DIVISION

IN RE: Second Progression, LLC,)	Bankruptcy No. 19-01253 Chapter 11
Debtor.))	

CONSENT ORDER ON WFRBS 2013-C18 Third Avenue SE, LLC Motion to Dismiss

Now upon consideration of the Motion to Dismiss and Request for a 180-Day Bar to Re-filing filed herein on behalf of WFRBS 2013-C18 Third Avenue SE, LLC, its successors and assigns ("Secured Creditor") on October 9, 2019 (DN 26)(the "Motion"), having reviewed the file, and noting proper service of the Motion on interested parties, and further noting that the objections(s), if any, filed to the Motion have been withdrawn, and having been fully advised in the premises, and having heard the parties during the October 30, 2019 hearing on the Motion (the "Hearing"), the Court finds that the relief sought by Secured Creditor in the Motion should be granted. In accordance therewith, it is

ORDERED, ADJUDGED AND DECREED that the Motion is sustained, the bankruptcy case filed by Debtor is hereby dismissed, with a bar to re-filing to the date that is 180 days from the date of entry of this Order, and that thereafter another bankruptcy petition may be filed only upon proper corporate authorization by the Debtor in accordance with its Operating Agreement.

Dated and Entered: November 1, 2019

INITED STATES BANKRUPTCY JUDGE

Prepared and submitted by:

<u>/s/ Mark D. Walz</u>

Mark D. Walz (IS9999605)
Davis, Brown, Koehn, Shors & Roberts, P.C. 4201 Westown Parkway, Suite 300
West Des Moines, Iowa 50266
(515) 246-7898
mark.walz@lawiowa.com

Robert Hammeke (pro hac vice)
DENTONS US LLP
4520 Main Street, Suite 1100
Kansas City, Missouri 64111
Telephone: (816) 460-2400
Facsimile: (816) 531-7545
robert.hammeke@dentons.com

ATTORNEYS FOR WFRBS 2013-C18 THIRD AVENUE SE, LLC

Secured Creditor representation of no objection by:

Renee K. Hanrahan P.O. Box 1088 Cedar Rapids, IA 52406

L. Ashley Zubal Trial Attorney, U.S. Trustee Federal Building 210 Walnut Street, Rm 793 Des Moines, IA 50309-2108

Mark A. Critelli 2924 104th Street Urbandale, IA 50322

Christopher K. Loftus
SIMMONS PERRINE MOYER BERGMAN PLC
115 Third Street SE, Suite 1200
Cedar Rapids, IA 52401
Attorneys for Aspect, Inc.

H. Raymond Terpstra Terpstra & Epping 3600 First Avenue NE, Suite 101 Cedar Rapids, IA 52402

Attorneys for NAI Optimum, Receiver